

## Workpaper B.7

Assignment OA-FY18-0075

	Initials	Date	Comments
Preparer Initials/Date Completed	DS	09/05/18	
1 <sup>st</sup> Level Review			
2 <sup>nd</sup> Level Review	JMT	9/7/2018	No Comments

**PURPOSE:** To document the OIG audit of the EPA Administrator's Protective Service Detail.

### SOURCE:

1. Audit Report No. 18-P-0239, September 4, 2018: [Link: D.7, Report No. 18-P-0239 PSD.pdf](#) **OK JMT**

**SCOPE:** Reviewed report no. 18-P-0239 and documented excerpts relevant to this audit of OCEFT LEAP recording.

### CONCLUSION:

[\[Link: PSSC B.6 Indexed Final Report.docx\]](#) OIG report no. 18-P-0239 reported similar issues with the reporting and monitoring of LEAP hours as identified in this audit. **[audit conclusion]** OIG reported that there were discrepancies found between the information in MARS and PeoplePlus. MARS information was not entered timely nor reviewed by supervisors in a timely manner. [\[Link: D.7, Report No. 18-P-0239 PSD.pdf, pg 27/60, Conclusion, 1<sup>st</sup> and 2<sup>nd</sup> sentences\]](#) **OK JMT** This audit reported that MARS recorded hours did not always reconcile with hours recorded in PeoplePlus. [\[Link: E.4a, PSSC E.4a PSD PPL Reconciliation.docx, Conclusion 1<sup>st</sup> sentence\]](#) **OK JMT**

The report did not make any recommendations regarding LEAP [\[Link: D.7, Source 1, Report No. 18-P-0239 PSD.pdf, pg 27/60, Conclusion, 2<sup>nd</sup> paragraph\]](#) **OK JMT** because of recommendations are being made as a result of this audit. [\[Link: E.10 - Summary - PSSC E.10 Summary.docx, RESULTS OF AUDIT, Finding 1, Recommendation 1\]](#) [\[Link: E.10 - Summary - PSSC E.10 Summary.docx, RESULTS OF AUDIT, Finding 2, Recommendation 2\]](#) [\[Link: E.10 - Summary - PSSC E.10 Summary.docx, RESULTS OF AUDIT, Finding 3, Recommendation 3\]](#) **OK JMT**



### Workpaper C.3

Assignment OA-FY18-0075

	Initials	Date	Comments
Preparer Initials/Date Completed	DS	03/19/18	
1 <sup>st</sup> Level Review	AMB	3.29.18	No comments
2 <sup>nd</sup> Level Review	JMT	4/5/2018	No Comments

#### PURPOSE:

To document discussion with OCEFT to clarify procedures for recording of LEAP hours. Also, to provide a status update to OCEFT.

#### SOURCE:

1. Discussion participants:

1. (b) (6) Attorney (IG Liaison), OCEFT
2. (b) (6), CID, (b) (6) Atlanta Area Office
3. Ted Stanich, Deputy Director, Criminal Investigation Division
4. Darren Schorer, OIG, auditor

#### SCOPE:

Held a teleconference on 03/14/18 to discuss questions on recording of LEAP hours and to update OCEFT on the status of the audit. We discussed the recording and review process for LEAP hours. The meeting was to clarify some of the issues covered by (b) (6) in her prior emails.

I provided an update on the status of the audit. (b) (5)

(b) (6) The audit team will discuss findings and prepare a discussion draft for OECFT review.

#### CONCLUSION:

OECFT staff stated that there are issues with MARS that will lead to delays in approving monthly activity reports and will also result in the annual certification being done using a hardcopy rather than electronic signature. I requested any hardcopy annual certifications that may be available from (b) (6). Supervisors said that they are aware in real time what agents are working on and if they will meet the substantial hour requirement.

#### DISCUSSION/ANALYSIS:

[1] I stated that I understand the process/procedures for recording LEAP hours and I understand MARS is a tool used to manage workload and resource allocation. It is also used to record unscheduled hours worked and is the basis for the annual certification.

[2] (b) (6) had stated in email that supervisors are aware, in real time, what agents are working on because in the normal course of business they are assigning workloads and are involved in scheduling events such as search and arrest warrants. Supervisors review and approve agents' PPL time entries on a weekly basis. [This was in response to the delay in submittal and approval of the monthly activity report.] I asked (b) (6) and Ted if that was a fair portrayal of what happens?

[3] (b) (6) and Ted agreed. In addition, (b) (6) said that in Region 4 (b) (6) holds two Monday morning staff meetings with staff and they discuss activities from the prior week as well as the week going forward.

[4] [Link: PSSC E.2a Additional Signed Annual Certs.docx] Both supervisors said they will sign a hard copy of the annual certification (or sometimes the ASAC will sign). (b) (6), (b) (2), (b) (5) MARS has not always kept up with which supervisor should sign for which agent. Therefore, some SACS will send hardcopy for signature. [Link: PSSC B.2 Indexed DD.docx] [Link: Referencing form.docx] (b) (6) said that (b) (6) was (b) (6) stated that MARS doesn't always reflect the current approver. This can lead in delays in approving the monthly time cards

[5] (b) (6), (b) (5) . There are challenges to MARS because it does not keep up with personnel changes on a timely basis. Using hard copy documents is a workaround (b) (6) mentioned the training webinars and that they are emphasizing entering time. OCEFT will also use feedback from the webinars to update the policy directive. With MARS the Director should be able to go in to view. (b) (6) also said (b) (6) can't underscore enough what (b) (6) have said about the challenges of personnel changes and how it impacts trying to get the investigations done.

[6] We also discussed the definition of a workday. A "regular workday," for purposes of LEAP, means each day in the agent's basic 40-hour workweek during which the agent works at least four hours, excluding overtime, agency approved training, traveling under official travel orders, approve leave. (b) (5)

Based on data from MARS (provided by (b) (6) ) the employees charged the 4 regular hours to investigations, therefore, I would say (b) (5)

[7] (b) (6), (b) (5)

[8] (b) (6) said that (b) (5) [REDACTED]. The annual certification is a statutory requirement and OCEFT is fine with how they manage it now. As questions come up, they are being included in the webinar.

[9] I told (b) (6) that this meeting will also service as a status update. (b) (5) [REDACTED]. I will send (b) (6) the name of agents without an electronic signature on the annual certs. I told (b) (6) that I will take what I have and discuss with my managers and we will come up with a discussion document (that most likely will look like a draft audit report). OCEFT will have time to respond to the discussion document and based on the response we will actually issue a draft or go straight to a final report. (b) (6) [REDACTED] can make arrangement for the review process.

## Workpaper C.4

Assignment OA-FY18-0075

	Initials	Date	Comments
Preparer Initials/Date Completed	DS	07/05/18	
1 <sup>st</sup> Level Review	Amb	7.6.18	No comments
2 <sup>nd</sup> Level Review	JMT	7/12/2018	No Comments

### PURPOSE:

To document the exit conference with agency on the OIG audit of the Office of Criminal Enforcement, Forensics, and Training's (OCEFT) law enforcement availability pay (LEAP) reporting.

### SOURCE:

Agency Attendees:

Pam Mazakas, OCEFT Deputy Director

Mike Fisher, OCEFT, Director, Legal Counsel Division

(b) (6), OCEFT, Attorney, Legal Counsel Division, OIG Liason,

Jessica Taylor, OCEFT, CID, Director

(b) (6) CID, (b) (6)

OIG Attendees:

John Trefry, Director, Forensic Audits, 202-566-2474

Darren Schorer, Auditor, 206-553-6288

### SCOPE:

Met with Agency officials to discuss the OIG's discussion document findings related to OCEFT's LEAP reporting.

**CONCLUSION:** The OIG discussed the findings of the LEAP audit with OCEFT. OCEFT only had a few questions. There was one question on (b) (5), but OCEFT will wait until they see the actual document and before getting into the details. The discussion document should be issued on July 9. We discussed the possibility

of going straight from the discussion document to final but realize that if OCEFT wants to have a draft report then we will issue a draft.

## DISCUSSION/ANALYSIS:

Darren summarized the objective, scope and findings from the discussion document. The findings are:

- MARS reports were not always submitted by the tenth day of the following month and approved by the end of the month as required by the MARS procedure manual.
- Supervisors did not approve the annual certifications by October 10, 2017, as required by OCEFT's premium pay policy.
- Investigators incorrectly excluded workdays from the substantial hours calculation.

There are three recommendations:

1. Enforce compliance by the investigators to submit, and the supervisors to approve, the monthly activity reports supporting Law Enforcement Availability Pay within the required timeframes in the *Monthly Activity Reporting System Purpose, Requirements and Procedures Manual*.
2. Implement controls to improve timeliness of the annual certification process for Law Enforcement Availability Pay.
3. Require the Director, Office of Criminal Enforcement, Forensics and Training, to clarify in its Policy No. OCEFT-P-002, *Premium Pay for OCEFT GS-1811 Criminal Investigators*, on the use of the statute definition of a regular workday as a day in which the investigator works "at least 4 hours," as specified in 5 U.S.C. § 5545a(a)(4).

OCEFT asked if (b) (6), (b) (5)

would like the details and then they can assess.

There was discussion on the reporting process. Darren said this is a discussion document in the format of a draft report. If possible OIG would like to move from the discussion document to final but this is dependent on the comments from OCEFT. OCEFT will have 30 days to respond.

John clarified that we need to have everyone on board to move from a discussion document straight to a final report. If OCEFT wants a formal draft then we will issue a formal draft.

John also said that we looked at OIG's Office of Investigation and the results mirrored what we found with CID. Timeliness was an issue.

(b) (6) asked when the discussion document would be out. John said they should have it Monday.



	Initials	Date Completed	Comments
Preparer Initials/Date Completed	DS	08/16/18	
1 <sup>st</sup> Level Review			
2 <sup>nd</sup> Level Review	JMT	9/5/2018	No Comments

**PURPOSE:** To discuss the OCEFT LEAP reporting discussion document with OCEFT and CID staff and determine what the next steps will be in the reporting process. Specifically we will discuss the possibility of going from the discussion document to the final report.

**PARTICIPANTS:**

Henry Barnett, Director, OCEFT  
(b) (6), OCEFT, Attorney (IG Liaison)  
Jessica Taylor, Director, CID  
(b) (6) CID, (b) (6)  
John Trefry, OIG, Forensics Director  
Angela Bennett, OIG, Project Manager  
Darren Schorer, OIG, Auditor

**SOURCE:**

1. OECA response [[Link: B.4, Source 1, image2019-08-08-161640.pdf](#)] OK JMT
2. Report with OCEFT track changes and comments (provided by (b) (6) .  
[[Link: B.4, Source 2, OCEFT comments in tracked changes on OIG LEAP Discussion Document 8-2-18.docx](#)] OK JMT

**SCOPE:**

Teleconference on 08/13/18 with OCEFT and CID to discuss OECA's formal response to the discussion document as well as OCEFT's comments edits to the reports.

## CONCLUSION:

We said that we are agreeing with the proposed corrective actions and milestones and can close recommendations. We will attach OECA's response to the final report. OCEFT asked if the response would include the Word document with OCEFT's comments and edits. That is not a formal response but we will consider revisions to the report. If OCEFT wants a draft report, they would need to submit a new response. We also said that we could make some revisions and finalize the report. We would discuss any changes with OCEFT prior to issuing the final.

Generally, OCEFT (b) (5)

## DISCUSSION/ANALYSIS:

[1] John Trefry started the meeting by mentioning that we provided a discussion document with the hope of going directly to a final report. [\[Link: PSSC B.4 Agency Response to DD.docx\]](#) We found their response clear and we are agreeing with OCEFT's corrective actions and milestone dates. We can close the recommendations. There will be some wordsmithing for the final report and we will include OCEFT's response to the final report. Before we issue the final we will have meeting to discuss changes. (b) (6) asked if we were including both the response and the word version of the report with OCEFT's comments. John said we don't consider the redlined report to be an official response but will consider the comments. John said we are required to report in a certain way based on auditing standards and can't really change. John did agree that there were a few items that needed clarification.

[2] Henry Barnett said that he thought (b) (5)

we will take a look at clarifying.

[3] (b) (6) mentioned (b) (6), (b) (5)

noted that the policy/directive allows for the certifications to be hand signed.

[4] (b) (6) stated that MAARS is an old legacy system. As part of the corrective actions OCEFT (b) (5)

John said that recommendations and corrective actions would remain the same but that dates could change after the final report is issued.

[5] There was discussion on the redlined changes to the report. John said we can discuss the changes but if we go to a draft that we would need a new response from OCEFT. We can also do some revisions to the report and finalize the report. We would discuss changed before issuing the final.

[6] (b) (6) discussed some of the edits made by OCEFT:

- (b) (6) asked if it was possible for the AAG to state (b) (5) [REDACTED] We said that we could look at revising to come out and say that.
- There was also discussion about (b) (6), (b) (5) [REDACTED] . Note: the certification includes an italicized statement that it was approved by the supervisor with the supervisor name and date of approval.
- The 2<sup>nd</sup> paragraph of the AAG includes a statement (b) (5), (b) (6) [REDACTED] wanted know what this was referring to. This was discussed and we would look at but it something that probably could be taken out.
- [Link: PSSC B.6 Indexed Final Report.docx] Henry Barnett brought up the reconciliation between PPL and MAARS. Henry said (b) (6), (b) (5) [REDACTED] . John said (b) (5) [REDACTED]
- (b) (6) want to look at (b) (6), (b) (5) [REDACTED] Henry said the manual had been superseded by the policy and they shouldn't have referenced the manual to us, he said that is their mistake for representing it as current guidance. OCEFT will now be abiding by the policy.
- (b) (6) next brought up the section on regular workdays excluded, 2<sup>nd</sup> paragraph. (b) (6), (b) (5) [REDACTED] [Link: PSSC B.6 Indexed Final Report.docx] (b) (6) said investigators in the field may not have been clear on the definition and that they are working on clarifying that with the training.
- For the section on the MARS/PPL reconciliation, (b) (6) asked us to consider (b) (5) [REDACTED] We said we would look at it.
- (b) (6), (b) (5) [REDACTED] John said we would keep the recommendation but acknowledge the corrective action and that we agree with it.

[7] (b) (6) asked about the next steps and the timing. John said we would go through our process of making any changes and then submit for editing, QA, legal and sr. mgt review. John said it should take about 2 weeks.

Assignment OA-FY18-0075

	Initials	Date	Comments
Preparer Initials/Date Completed	DS	09/05/18	
1 <sup>st</sup> Level Review			
2 <sup>nd</sup> Level Review	JMT	9/7/2018	No Comments

**PURPOSE:** To discuss revisions to the OCEFT LEAP report based on comments from the August 13, 2018 meeting with OCEFT and CID staff. We will also determine OCEFT's willingness to skip the draft report and issue the final report.

**PARTICIPANTS:**

Henry Barnett, Director, OCEFT  
(b) (6), OCEFT, Attorney (IG Liaison)  
John Trefry, OIG, Forensics Director  
Angela Bennett, OIG, Project Manager  
Darren Schorer, OIG, Auditor

**SOURCE:**

1. Comparison of discussion document issued to the agency with final report (approved by the AIG on 08/20/18 [[OCEFT Compare DD to Final 8.23.18.docx](#)] **OK JMT**
  - a. Issued discussion document: [Link: B.1, Source B.3.q1, OCEFT LEAP Discussion Document Issued 7.9.18-rv.docx](#) **OK JMT**
  - b. Final Report approved by AIG (clean copy): [Link: C.6, 8.16.2018 OCEFT LEAP Final Report JMT-AMB KLC Clean copy.docx](#) (this is a clean copy of the report at: [Link: B.5, Source 2.c, 8.16.2018 OCEFT LEAP Final Report JMT-AMB \(002\) KLC comments addressed.docx](#) ) **OK JMT**

**SCOPE:** We met with OCEFT to discuss revisions to the OCEFT LEAP report. The revisions are based on comments/concerns expressed by OCEFT during the August 13, 2018 meeting on the discussion document. [[Link: C.5, PSSC C.5 8.13.18 meeting with OCEFT on LEAP DD.docx](#)] **OK JMT** OECA/OCEFT agreed with the overall finding

but had some concerns with some of the wording of the report. (b) (5)  
[REDACTED] We did not provide a copy of the revised report but discussed revision informally. If OCEFT concurs with revisions we will skip the draft report and issue as final.

The report at Source 1 includes the changes made as a result of the discussion with OCEFT on 08/13/18.

## CONCLUSION:

We discussed the changes made to the discussion document including a revision to recommendation 3. [Link: C.6, Source 1, OCEFT Compare DD to Final 8.23.18.docx, pg 18/24] **OK JMT** Based on the discussion, Henry Barnett agreed with issuing the report as final.

## DISCUSSION/ANALYSIS:

We discussed the following [see Link: C.6, Source 1, OCEFT Compare DD to Final 8.23.18.docx **OK JMT** for the changes made]:

- We changed the title slightly (b) (5).
- The AAG [pg 4/24] **OK JMT** was revised to (b) (5)  
[REDACTED] Changes were made to make it line with wording in the report on OIG LEAP.
- The distribution memo was changed because it is final. All recommendations are considered resolved. [pg 6/24] **OK JMT**
- In the body of the report we (b) (5)  
[REDACTED]
- We discussed the (b) (6), (b) (5)  
[REDACTED]  
[REDACTED] We will revise.
- We included the word “regular” in connection with workday in two places. [pg 10/24] **OK JMT**

